



OFFICE OF THE TRIBAL PROSECUTOR

DEPUTY PROSECUTOR

INTRODUCTION: This position performs professional legal work in prosecuting criminal offenses, juvenile offenses and certain civil cases in the Hopi Tribal Courts, including legal research and preparation of Court documents; respond to citizen inquiries relating to tribal court procedures and violations of Tribal Ordinances, traffic laws and criminal statutes prosecuted in Tribal Court.

DUTIES: (Job description statements are intended to describe the general nature and level of work being performed by employees assigned to this job title. They are not intended to be construed as an exhaustive list of all responsibilities, duties and skills required)

1. Represent the Hopi Tribe in criminal, traffic, juvenile offense and minor child in need of care (Child Welfare Act cases) proceedings before the Tribal Courts; prepare and file charging instruments in Tribal, State and/or Federal court(s) as necessary; appears in court on all arraignments, preliminary hearings, trials and sentence hearings; protects the rights and property of all persons within the jurisdiction of the Tribal court.
2. Confer with defense attorneys and /or witnesses/victims and negotiate agreements when it is in the best interest of the Tribe;
3. Assist and advise the Tribal Police in prosecution of criminal/civil cases including preservation of evidence, investigations, and civil rights; prepares and executes requests for arrest and search warrants; where relevant, train other tribal staff regarding criminal and juvenile procedures; interview police officers and other agencies and/or witnesses presenting evidence for the Tribe to ascertain that the evidence is complete.
4. At the Direction of the Chief Prosecutor, consult on the revision and amendment of the Criminal and Children's Ordinances as needed.
5. Work closely and cooperatively with the Department of Social and Behavioral Health, the Domestic Violence Program, and other agencies in devising and obtaining treatment for defendants, victims and their families, where appropriate, especially in juvenile cases.
6. As directed, work closely and cooperatively with the BIA, the FBI and U.S. Department of Justice in ensuring that crimes committed on the reservation are adequately prosecuted in Tribal court and/or Federal court; work closely and cooperatively with other local law enforcement and prosecution agencies to ensure that criminal cases are processed properly.
7. Keeps abreast of legislation and case law directly or indirectly affecting tribal court operations; keeps abreast of case decisions and legislative changes and attends Continuing Legal Education seminars.
8. The Deputy Prosecutor may supervise staff positions at the direction and discretion of the Chief Prosecutor, and will direct the work of some support personnel staff
9. Performs duties as assigned or authorized by the supervisor to meet Tribal goals and objectives.

COMPLEXITY: The Deputy Prosecutor is expected to exercise a moderate degree of independence, initiative and professional expertise in the day to day prosecution of crimes on the Hopi Reservation, and to assist in directing the daily work of office staff.

SUPERVISION RECEIVED: Supervision is provided by the Chief Prosecutor. The Prosecutor's Office functions as an independent agency of the Tribe, with authority to withhold information from other tribal staff and policy bodies when, in the judgment of the Chief Prosecutor, doing so is necessary to protect the integrity of the investigation.

PERSONAL CONTACTS: Contacts are with law enforcement personnel, probation officers, court personnel, victims of crime, witnesses, behavioral health providers, Hopi departments/agencies, village governments.

PHYSICAL EFFORT & ENVIRONMENTAL FACTORS: The work is performed in a standard office environment, courtroom, and law enforcement environment and in the general community. The incumbent must be able to work under stressful conditions and may be subject to hostile environment. The work may extend beyond the eight (8) hour daily schedule. Moderate travel on and off the Hopi Reservation is required.

MINIMUM QUALIFICATIONS:

1. Required Education, Training and Experience:

- A. Education : Legal education equivalent to minimum of a 4 year degree in a law related field such as para-legal, law enforcement, or criminal justice;

AND

- B. Experience : Two (2) years experience in prosecution or criminal defense or related litigation experience;

OR

- C. Any equivalent combination of Education, Training and Experience which demonstrates the ability to perform the duties of the position.

2. Required Knowledge, Skills and Abilities:

A. Knowledge:

Knowledge of local, county, state, federal and tribal laws that relate to the criminal prosecution of suspects, as well as those related to juvenile delinquency and child in need of care
Knowledge of judicial procedures and a thorough knowledge of the rules of evidence;
Knowledge of the principles of jurisprudence and legal analysis
Knowledge of computer operations and software programs typically used in a legal setting, including Microsoft Windows, Microsoft Word, Microsoft Outlook, Westlaw or other legal research programs, Google and other software commonly used by the legal profession

B. Skills:

Skill in handling demanding, angry or upset individuals in professional manner
Skill in working effectively with a wide variety of non-legal staff and policy-makers

C. Abilities:

Ability to work on multiple projects while remaining organized and meeting deadlines
Ability to handle demanding, angry or upset people in a professional manner
Abide by the disciplinary rules and other requirements of the bar associations of which the incumbent is a member if any, as well as any disciplinary rules adopted by the Hopi Tribe to govern attorney practice on the Reservation. Maintain a high level of professionalism and ethics at all times
Ability to work effectively with a wide variety of non-legal staff and policy makers
Ability to comply with tribal laws and administrative policies
Ability to exercise independent judgment in resolving both criminal and civil matters concerning the Tribe and Community
Ability to clearly and succinctly articulate ideas and logical analysis both orally and in writing
Ability to meet the responsibilities and duties of the position as outlined above


Ability to maintain effective working relationships with other employees, Tribal Officials and the general public
Ability to perform all physical requirements of the position, with or without accommodation
Ability to communicate the law and complex ideas in a manner understandable to laypersons
Ability to agree to maintain a drug and alcohol-free workplace
Ability to maintain effective working relationship with others


NECESSARY SPECIAL REQUIREMENTS:

1. Possess and maintain a valid Arizona Drivers license and complete/pass the Hopi Tribe's Defensive Driving Course.
2. Possess or obtain within 30 days of employment a License to Practice Law in the Hopi Tribal Courts and maintain such license.
3. Must complete and pass the pre-employment screening (sensitive background investigation (local & Federal) and fingerprinting) in accordance with Hopi Tribal Policy.
4. Never been convicted of a felony offense in any court, nor any offense involving moral turpitude, deceit, fraud or misappropriation of funds, or domestic violence in any court.
5. No misdemeanor charges or convictions, excluding minor traffic violations.

PREFERRED QUALIFICATIONS:

1. Juris Doctor degree from an ABA accredited law school and an active membership in the State Bar of Arizona, in good standing, or ability to become a member of the State Bar of Arizona within 6 months of hire;
2. Demonstrated commitment to the ideals of tribal sovereignty and self determination;
3. Ability to understand and speak the Hopi Language.

REVIEWED BY:  2.10.10
Hiring Authority Date

APPROVED BY:  02-10-10
Personnel Director Date

SENSITIVE
SALARIED (RANGE 55)
02/2010